

**FIRST AMENDMENT TO THE  
SERVICE PLAN  
FOR  
POWERS METROPOLITAN DISTRICT  
IN THE CITY OF COLORADO SPRINGS, COLORADO**

Prepared by:

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Approved:

Service Plan Approved: February 12, 2008  
First Amendment Approved: XXXXX

## I. Introduction

### A. Purpose and Intent

The Powers Metropolitan District (the “**District**”) was organized and operates pursuant to its Service Plan as approved by the City Council of Colorado Spring on February 12, 2008. (the “**Service Plan**”).

This First Amendment to the Service Plan (“**First Amendment**”) modifies Exhibit C-2 of the Service Plan to add additional property as Future Inclusion Areas, specifically the property identified as I1 and I2 on the updated Exhibit C-2, attached to this First Amendment, and to remove property previously identified as Future Inclusion Areas in the original Service Plan.

Inclusion area I1 and I2 are intended to be developed as additional commercial property, to complement the existing commercial development on the parcel identified as P1, commonly known as the Powers Pointe Shopping Center.

## II. Amendment

### A. Section III BOUNDARIES. Section III of the Service Plan is replaced in total as follows:

The area of the Initial District Boundaries includes approximately 50.93 acres and the total area proposed to be included in the Inclusion Area Boundaries is approximately 7.38 acres. A legal description of the Initial District Boundaries is attached hereto as Exhibit A. A map of the Initial District Boundaries is attached hereto as Exhibit C-1 and a map of the Inclusion Area Boundaries is attached as Exhibit C-2. A vicinity map is attached hereto as Exhibit B. It is anticipated that the District’s Boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to Sections 32-1-401, et seq. and 32-1-501, et seq., C.R.S., subject to the limitations set forth in Article V below.

### B. Section IV PROPOSED LAND USE/POPULATION/ASSESSED VALUATION. The first sentence of this section is replaced in total as follows:

The Service Area consists of approximately 58.31 acres of undeveloped land.

### C. Exhibit C-2. Exhibit C-2 is replaced with the Amended Exhibit C-2 attached hereto.

The two additional parcels added to the Inclusion Area Boundaries are:

I1 = Lot 2, Block 1 in The Homestead Subdivision Filing No. 10, as recorded in Plat Book Z-2 at Page 61, in the real property records of El Paso County, Colorado.

I2 = Lot 1 in Colorado Country Filing No. 12, as recorded under Reception No. 97060807 in the real property records of El Paso County, Colorado.

D. Section V.A.16. Section V.A.16 is added as follows:

16. The District shall not adopt or enact an ordinance, resolution, rule, or other regulation that prohibits or restricts an authorized permittee from carrying a concealed handgun in a building or specific area under the direct control or management of the District as provided in § 18-12-214, C.R.S.

E. All other provisions of the Service Plan not expressly modified by this Amendment remain unchanged and in full force and effect.

AMENDED EXHIBIT C-2  
INCLUSION AREA BOUNDARY MAP

